

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE - NASHVILLE DIVISION

TUITIONFUND, LLC  
*Plaintiff,*

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Case No. 3:11-cv-00069

JUDGE SHARP

SUNTRUST BANKS, INC., *ET AL.*,  
*Defendants.*

MAGISTRATE JUDGE GRIFFIN

**AGREED ORDER OF DISMISSAL WITH PREJUDICE OF DEFENDANTS  
CARDLYTICS, INC., REGIONS BANK, AND REGIONS FINANCIAL CORPORATION**

The Court has before it the Agreed Motion to Dismiss Defendants Cardlytics, Inc., Regions Bank, and Regions Financial Corporation. The Court is of the opinion that the motion should be **GRANTED**.

**IT IS ORDERED** that in the above-entitled cause all claims made by TuitionFund, LLC against Defendants Cardlytics, Inc., Regions Bank, and Regions Financial Corporation are hereby **DISMISSED WITH PREJUDICE**.

**IT IS ORDERED** that all counterclaims made by Defendants Cardlytics, Inc., Regions Bank, and Regions Financial Corporation against TuitionFund, LLC are hereby **DISMISSED WITH PREJUDICE** with the proviso that nothing in this dismissal limits the right of Defendants and their permitted successors and assigns to raise any challenge under 35 USC Section 101 et seq., including without limitation the infringement, validity, enforceability and/or patentability of the Licensed Patents (as defined in the "Settlement, Release and Restricted License Agreement" having an effective date of April 16, 2014) in any forum, including without limitation in any court of competent jurisdiction, in the event that any or all of them are alleged to infringe directly or indirectly one or more of the Licensed Patents.

**IT IS ORDERED** that all costs and expenses relating to this litigation (including attorney and expert fees and expenses) shall be borne solely by the party incurring same.

This is a Final Judgment.

IT IS SO ORDERED,



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE